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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,912	08/20/2001	Klaus David Gradischnig	112740-282	7209
29177	7590	07/12/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC			FOX, JAMAL A	
P. O. BOX 1135			ART UNIT	
CHICAGO, IL 60690-1135			PAPER NUMBER	
			2664	

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/913,912

Applicant(s)

GRADISCHNIG, KLAUS DAVID

Examiner

Jamal A. Fox

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/913,912.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/20/2001
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 1B is not described in the written description. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because in Figure 3 "Daten" should be changed to --Data--. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

Art Unit: 2664,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 4-7 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim --*cannot depend from any other multiple dependent claim*--. See MPEP § 608.01(n). Accordingly, the claims *have* not been further treated on the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

Art Unit: 2664

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Hahn (U.S. Patent No. 6,002,693).

Referring to claim 1, Hahn discloses a signaling point (STP, col. 5 line 19-col. 7 line 37) in a signaling network (telecommunication network, col. 1 lines 48-col. 2 line 8) for processing messages (messages, col. 1 line 67 and col. 5 line 25-col. 7 line 37), including forwarding messages having an address field (Figures 3A and 3B) which is used by the signaling point (STP, col. 5 line 19-col. 7 line 37) to determine the next signaling point (STP, col. 5 line 19-col. 7 line 37) to which the message is to be forwarded, and an SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) which is used by the signaling point to determine the links (link, col. 2 lines 1-8) via which the signaling point (STP, col. 5 line 19-col. 7 line 37) forwards the message to the next signaling point, the SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) exhibiting a particular number of bits (8 bit, col. 5 line 19-col. 7 line 37) and the signaling point (STP, col. 5 line 19-col. 7 line 37) using all bits of the SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) for selecting said links, whereas other signaling point (STP, col. 5 line 19-col. 7 line 37) in the signaling network (telecommunication network, col. 1 lines 48-col. 2 line 8) only use a particular subset (5 bit, col. 5 line 19 – col. 7 line 37) of the SLS bits for selecting said links, the signaling point (STP, col. 5 line 19-col. 7 line 37) being configured to receive a message to be forwarded, and establishes an

Art Unit: 2664

SLS value, and thus the link via which the message will be forwarded, wherein the SLS value for the message to be forwarded is established by taking over the particular subset (5 bit, col. 5 line 19 – col. 7 line 37) of bits that form the SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) of the received message for the SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) to be sent and generating (generate, col. 5 lines 45-61 and col. 6 lines 8-22) the remaining bits (bits, col. 5 lines 45-61) of the SLS field (SLS field, col. 1 lines 64-67 and col. 4 lines 18-40) of the message to be forwarded by implementing a function (col. 5 lines 52-61).

Referring to claim 2, Hahn discloses the signaling point as claimed in claim 2, wherein said function uses an originating point code (OPC) (OPC, col. 6 line 35-col. 7 line 28) and/or a destination point code (DPC) (DPC, col. 6 line 35-col. 7 line 28) for generating said remaining bits.

Referring to claim 3, Hahn discloses the signaling point as claimed in claims 1 or 2, wherein the function depends on the position of the respective signaling point in the signaling network, on the numbering strategy used in the signaling network operator, or on the desired granularity of the load distribution (SLS load sharing, col. 4 lines 1-30 and col. 5 lines 10-18; load balancing, col. 6 lines 8-22 and col. 6 lines 35-43).

Conclusion

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-3988, (for formal communications intended for entry)

Or:

(703) 305-3988 (for informal or draft communications, please label "PROPOSED" or "DRAFT")


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. 22202, Sixth Floor (Receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamal A. Fox whose telephone number is (571) 272-3143. The examiner can normally be reached on Monday-Friday 6:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9315 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.


Jamal A. Fox


WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER